

DOCKET NO: AAN CV 18 6028365 S : SUPERIOR COURT
RYAN PFEIFFER : J. D. OF ANSONIA-MILFORD
VS. : AT MILFORD
GIANNA M. CARLONI AND
KELLY M. CARLONI : OCTOBER 26, 2021

**MOTION IN LIMINE REGARDING TESTIMONY OF FACT WITNESSES MCKENNA
HILLMAN, TERRY HILLMAN, AND DAMIEN CARLONI**

Pursuant to Connecticut Practice Book § 15-3, the plaintiff in the above captioned matter hereby moves that the court enter an order precluding the lay witnesses, McKenna Hillman, Terry Hillman, and Zack Kerwin, from offering any testimony or being questioned as to any matter related to the question of liability in this case because their input, as exclusively post-wreck witnesses, could only speculate about events they did not witness. Neither did they see her park the car prior to the wreck. "The purpose of a motion in limine is to exclude irrelevant, inadmissible and prejudicial evidence from trial." *State v. LoSacco*, 26 Conn.App. 439, 444 (1992). The Code of Evidence § 4-1, defines relevant evidence:

"Relevant evidence means evidence having any tendency to make the existence of any fact that is material to the determination of the proceeding more probable or less probable than it would be without the evidence [internal citations omitted]".

McKenna Hillman, Terry Hillman, and Zack Kerwin were already parked and participating in the

gathering¹, which the Hillman family was hosting at their home, so any first-hand observations that said witnesses may recall are observations of the events after the wreck. The Defendant, Gianna Carloni, is the only relevant witness as to where her car was, as everyone else came out after the car had already been moved out of its original parked position by the collision between her car and the Plaintiff's vehicle, and she herself parked her vehicle.

The Defendants represented the trial would take one-to-two days in our Joint Trial Management Report filed November 12, 2019 (#113.00) and indicated they would rely on examining, on direct and/or cross, the Plaintiff's three (3) witnesses. In our Joint Trial Management report filed on October 13, 2021 (#117.00), the Defendants' counsel represented he would need to add (6) six witnesses, bringing the total number of witnesses to nine (9). The Plaintiff avers that, under such circumstances, the Court may order a limitation on witness participation pursuant to the Court's "inherent authority" and "wide discretion" to manage the trial, even with respect to other needs on the Court's docket. *Barnes v. Connecticut Podiatry Group, P.C.*, 195 Conn.App 212, 227 (2020).

¹ "Q: Okay. And you said when you arrived that evening, there was already a couple of cars in addition to the Hillman's cars? "A: Yes. [...] A: There was one. Q: One car, okay. Whose car was that; do you know? A: Zach Kerwin [...]." Deposition of Gianna Carloni, page 29-30.

WHEREFORE, the Plaintiff, Ryan Pfeiffer, respectfully requests that this Court issue an order excluding and/or limiting any witness testimony as to the issue of liability or the position of the Defendants' vehicle in the road, as she arrived and parked after all of cited witnesses, and because they did not personally witness the collision.

THE PLAINTIFF

BY /s/ 436150
William C. Anderson, Esq.
The Ment Law Group, LLC

CERTIFICATION

I hereby certify that a copy of the above was or will immediately be mailed or delivered electronically or non-electronically on October 26, 2021 to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were or will immediately be electronically served.

William J. Melley, III, Esq.
Law Offices of William J. Melley
250 Hudson Street
Hartford, CT 06106
Via Email: wjmelley@wjmelley.com

/s/ 436150
William C. Anderson
Commissioner of Superior Court